

OCT 21 10 01 AM '93

TIMBER DEED

This Timber Deed is made and entered into by <sup>263 325</sup> ~~and between~~ IRENE WILLIAMS, a widow, AUBRY WILLIAMS a.k.a. AUBREY WILLIAMS and MRS. ZOLA W. RITTENHOUSE, a widow, hereinafter referred to as GRANTORS, and FRANK O'NEIL RITTENHOUSE, SR. a.k.a. FRANK RITTENHOUSE, SR. a.k.a. F.O. RITTENHOUSE, SR., hereinafter referred to as the GRANTEE, WITNESSETH THAT:

For and in consideration of the sum of One Thousand (\$1,000.00) Dollars cash in hand this day paid by the GRANTEE to the GRANTORS and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged by the GRANTORS, the GRANTORS do hereby bargain, sell, convey and warrant to Frank O'Neil Rittenhouse, Sr. a.k.a. Frank O. Rittenhouse, Sr. a.k.a. F.O. Rittenhouse, Sr. all existing timber of every kind, character, and description located on the hereinafter described real property as well as any and all timber of every kind, character, type and description hereinafter grown, raised or planted on said real property and which property is located in Desoto County, Mississippi and is described as follows:

Containing 160 acres, more or less, being located in the Northeast Quarter of Section 29, Township 3, Range 7 West, and being part of the lands conveyed to Joe Z. Williams, Sr. by deed of record in Book 32, Page 540, of the deed records of said county.

SUBJECT HOWEVER, to any existing easements for public roads or public utilities affecting said lands and any rights remaining in Lessee or his assigns, under oil, gas or mineral lease executed by Joe Z. Williams, Sr. of record in Book 1, Page 266 of Oil, Gas and Mineral Lease records of Desoto County, Mississippi.

By way of explanation, this is the same property owned by J.Z. Williams, Jr., under the laws of descent and distribution, inherited by him from the estate of Joe Z. Williams, Sr., who died intestate on February 16, 1962. Said property divided by Warranty Deed of Division conveying unto J.Z. Williams, Jr., the above described property executed by all the heirs at law of Joe Z. Williams, Sr., on the 27th day of February, 1962, recorded in Deed Book 52, Page 245 in the Office of the Chancery Court Clerk of Desoto County, Mississippi. On March 13, 1964, J.Z. Williams, Jr. died testate leaving a certain instrument of writing purported to be the Last Will and Testament of J.Z. Williams, Jr., which was duly probated and administered as the estate of J.Z. Williams, Jr. Under the terms of the Will, recorded in Will Book 8, Page 103, in the Office of the Chancery Court Clerk of

Desoto County, the above described property was devised unto Mrs. Irene Williams, his wife, during her natural life; that upon her death a remainderman's interest was devised unto Aubry Williams, his son, and John Fulton Williams, also know as "Mike" Williams, his son. That John Fulton Williams, also know as "Mike" Williams died intestate on March 1, 1979, being unmarried at the time of his death and leaving as his sole and surviving heirs at law, his mother, Mrs. Irene Williams, and his brother, Aubry Williams.

For the consideration stated aforesaid, the GRANTORS do hereby grant to the GRANTEE, his successors, assigns, personal representatives, heirs, or transferees a right of ingress and egress to and from the above-described lands and by the GRANTEE'S acceptance of this deed, the GRANTEE agrees to leave all roads leading into said property, fill roads, turn roads, existing wood roads, which are used by GRANTEE or which are constructed by the GRANTEE, in an open and passable condition and in as good or better condition as these roads were prior to the GRANTEE'S use of said roads and, further, the GRANTEE agrees to blade and level all roads used and/or constructed so that said roads will fully drain.

By acceptance of this deed, the GRANTEE agrees to repair all fences which might be damaged as the result of the harvesting of said timber and the GRANTEE shall remove the timber in such a manner so as not to damage access roads, bridges, crops and fences of the GRANTORS and shall protect the GRANTORS' woods from fire and shall otherwise conduct its business and logging operation in keeping with customary good conduct and procedures for this type work.

The GRANTEE by acceptance of this deed assumes all liability for the logging of trees which are conducted on the premises during the term of this Timber Deed and the GRANTEE agrees to indemnify, protect and hold harmless the GRANTORS from any and all claims from damages of property and/or for injury or death of any person, including GRANTEES employees. GRANTEE agrees to hold the GRANTOR harmless for any liability arising from the harvesting of said timber.

By way of explanation, it is the GRANTORS intention to convey and they do hereby convey to the GRANTEE all interest they have in the existing timber of every kind, character and description

located on the herein described real property as well as any and all timber of very kind, character, type and description hereinafter grown, raised or planted on said real property and which might be vested in them as life tenants, by virtue of that certain Warranty Deed With Reservation of Life Estate found at Deed Book 139, Page 635 in the Office of the Chancery Clerk of Desoto County, Mississippi and the GRANTORS further acknowledge that this conveyance relieves the GRANTEE from any accounting to the GRANTORS as life tenants, as a result of any harvesting of said timber. It is further acknowledged by the GRANTORS that this conveyance is perpetual in nature and is made to the GRANTEE, his successors, assigns, personal representatives, heirs or transferees.

The GRANTOR, AUBRY WILLIAMS A.K.A. AUBREY WILLIAMS warrants that this conveyance is no part of his homestead.

Possession and rights to said timber to be given upon delivery of this deed.

WITNESS the signature of the GRANTOR on this the 18th day of October, 1993.

Irene T. Williams  
IRENE WILLIAMS

Aubrey Williams  
AUBRY WILLIAMS AKA, AUBREY WILLIAMS

Zola W. Rittenhouse  
MRS. ZOLA W. RITTENHOUSE

AGREED TO AND ACCEPTED BY:

Frank O'Neil Rittenhouse SR.  
FRANK O'NEIL RITTENHOUSE, SR.,  
AKA FRANK A. RITTENHOUSE, SR.,  
AKA F. O. RITTENHOUSE SR.

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, IRENE WILLIAMS, who acknowledged that she signed and delivered the foregoing Timber Deed on the date and year therein expressed and did so as her free and voluntary act and deed

Given under my hand and official seal of office on this the 18<sup>th</sup> day of October, 1993.

Mary Beth McDonald  
NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES FEB. 2, 1994

(SEAL)

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, AUBRY WILLIAMS AKA AUBREY WILLIAMS, who acknowledged that he signed and delivered the foregoing Timber Deed on the date and year therein expressed and did so as his free and voluntary act and deed.

Given under my hand and official seal of office on this the 18<sup>th</sup> day of October, 1993.

Mary Beth McDonald  
NOTARY PUBLIC

My commission expires:

MY COMMISSION EXPIRES FEB. 2, 1994

(SEAL)

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, MRS. ZOLA W. RITTENHOUSE, who acknowledged that she signed and delivered the foregoing Timber Deed on the date and year therein expressed and did so as her free and voluntary act and deed.

Given under my hand and official seal of office on this the 18<sup>th</sup> day of October, 1993.

Mary Beth McDonald  
NOTARY PUBLIC

My commission expires:

MY COMMISSION EXPIRES FEB. 2, 1994

(SEAL)

93249.149

## GRANTEE'S ADDRESS:

Frank O. Rittenhouse4941 Jaybird RoadHernando, MS 38632HM# 601-429-6228WK# 601-429-5045

## GRANTOR'S ADDRESS:

Irene Williams4331 Jaybird RoadHernando, MS 38632HM# 601-622-7540WK# N/A

## GRANTOR'S ADDRESS:

Aubrey Williams4331 Jaybird RoadHernando, MS 38632HM# 601-233-0299WK# N/A

## GRANTOR'S ADDRESS:

Zola W. Rittenhouse4757 Jaybird RoadHernando, MS 38632HM# 601-429-6824WK# N/A

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